

UNITED STATES DISTRICT COURT

HERBERT and DORIS STEELE, ERIC R.)
CHAVEZ, ALEXANDRA DIAZ AND)
SONIA TORRES, on behalf of themselves and)
all others similarly situated,)

No. 1:08-cv-1880

Plaintiffs,)

Judge Blanche M. Manning

VS.

Magistrate Judge Martin C. Ashman

GE MONEY BANK, a federal savings bank;)
WMC MORTGAGE CORPORATION and)
WMC MORTGAGE, LLC)

Defendants.)

AGREED MOTION TO EXTEND FILING DEADLINE

AND FOR LEAVE TO FILE A BRIEF IN EXCESS OF FIFTEEN PAGES

Defendant WMC Mortgage LLC (“WMC”), by its undersigned attorneys, hereby

respectfully requests an order granting WMC leave to file a consolidated brief in support of

WMC's multiple motions under Fed. R. Civ. P. 12 in response to plaintiffs' Amended

Complaint, and that exceeds the limit of fifteen pages set forth in Local Rule 7.1. In addition,

WMC requests that it, as well as defendant GE Money Bank (“GEMB”), be granted an

additional nine days, from July 2, 2008 to July 11, 2008, within which to file their respective

Rule 12 motions and supporting memoranda of law. Plaintiffs, through their counsel, have

indicated that they do not oppose the relief sought by this motion.

As grounds for this motion, WMC states as follows:

1. On May 20, 2008, this Court granted Defendants' Joint Motion for Extension of

Time to Answer or Otherwise Respond. Pursuant to the schedule agreed upon by the parties, the

Court established July 2, 2008 as the date for Defendants to answer or otherwise respond to the Amended Complaint.

2. WMC intends to move to dismiss the Amended Complaint on multiple grounds under Fed. R. Civ. P. 12(b), and also intends to move to strike certain portions of the Amended Complaint under Fed. R. Civ. P. 12(f). WMC is in the process of preparing its motions and believes that it would be more efficient to present all of its arguments in a single motion, with a single supporting brief. However, WMC will be unable to present its numerous arguments within the 15 page limit allotted by this Court under Local Rule 7.1. WMC believes that it will need a minimum of 35 pages to fairly present all of its arguments.

3. WMC also believes that it will need a limited amount of additional time within which to complete its consolidated briefing. In light of the Fourth of July holiday, WMC requests that the existing schedule be extended by an additional nine days.

4. WMC has conferred with co-defendant GEMB. GEMB does not oppose WMC's requested extension, and agrees that the requested extended deadline should also apply to GEMB's motion to dismiss and supporting memorandum of law. GEMB also does not object to WMC's request for additional pages.

5. On June 26, 2008, counsel for WMC contacted Gary Klein, Esq., one of the attorneys for Plaintiffs. WMC's counsel expressed WMC's desire to file a single, consolidated brief of no more than 35 pages, and to extend the defendants' deadline to July 11, 2008. Plaintiffs' counsel stated that Plaintiffs do not oppose WMC's Motion.

WHEREFORE, WMC seeks the entry of an Order:

- a. Extending the deadline for Defendants to answer or otherwise plead to July 11, 2008; and

- b. Granting WMC leave to file a brief in support of its Rule 12 motions that is no more than 35 pages.

Respectfully submitted,

Counsel for WMC

Dated: June 26, 2008

/s James L. Thompson
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CERTIFICATE OF SERVICE

I, Justin C. Steffen, hereby certify that a true and correct copy of the foregoing **Agreed Motion for Leave to Extend Filing Deadline and for Leave to File a Brief in Excess of Fifteen Pages** was served via the CM/ECF system on June 26, 2008 to the following counsel of record:

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s/ Justin C. Steffen _____